

REMARKS/ARGUMENTS

This is response to the Official Action mailed December 22, 2006 for the above-captioned application. Reconsideration of the application as amended is respectfully requested.

Applicants request an extension of time sufficient to make this paper timely, and enclose the fee.

New claim 24 is effectively a combination of now canceled claims 1 (which recited a containment device) and 9 (which recited a stairlift chair including this containment device). This claim, and all of the remaining claims now refer to a stairlift chair.

The Examiner rejected claims 1-18 and 20-22 under 35 USC § 112, second paragraph, as indefinite. The referenced claims have either been canceled, or made dependent on new claim 24 which provides an antecedent basis for the term "belt" in claims 7 and 8. Accordingly, this rejection is believed to be overcome.

Claims 1-5, 7, 8 and 21 were rejected as anticipated by Gray. As claim 1 has been canceled and replaced with a claim which recites a stairlift chair and not merely the containment device, this rejection is no longer applicable.

Claims 1-8 and 21 were rejected as anticipated by Nelson. As claim 1 has been canceled and replaced with a claim which recites a stairlift chair and not merely the containment device, this rejection is no longer applicable.

Claims 9, 13, 17, 18 and 20 were rejected under 35 USC § 103 as obvious over the combination of Tremblay and Gray. Applicants will respond to this in the context of newly presented claim 24 in place of original claim 9. This claim refers to the combination a stairlift chair and a containment device. The containment device has a fixing point on one side of the chair, and a reel that contains a belt. One end of the belt is fixed to the other side of the chair from the fixing point. In use, the reel is displaced (unwinding the belt from the reel at the same time) so that it is brought to the other side of the chair and can be attached to the fixing point.

Tremblay shows a stairlift chair fitted with a containment device, albeit one which, in its physical form, is an entirely conventional stairlift seat belt. Tremblay fails to disclose a stairlift chair having a containment device formed by a reel carrier and a fixing point, in which the reel carrier is displaceable between opposite sides of the chair and can be engaged with the fixing point. As shown in Figure 6 of Tremblay, the reel carrier is fixed at one side of the chair and the belt is unwound, passed across the chair, and engaged with a fixing point on the opposite side of the chair. To this extent, the seatbelt arrangement shown in Tremblay is conventional and in a form used by all stairlift manufacturers before the advent of the present invention.

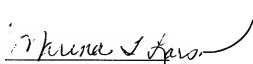
The Examiner states that Tremblay differs from the claimed invention in not having a removably connected reel. Gray is said to disclose a seat belt with "a removable belt shortening device with a reel," and the Examiner asserts that it would have been obvious to substitute Gray's seat belt for that of Tremblay. Using a removably connected reel on a stairlift chair, however, is not the claimed invention. Thus, this combination of references does not teach the claimed invention and cannot render it obvious.

The carrier reel in Gray is used for the purpose of adjustment of belt length. The carrier reel is not displaced and does not become fixed at a fixing point as set forth in the present claims. Rather, in Gray, fixing is still effected by engaging a conventional tongue 44, mounted on a conventional length of flexible belt 40, with a fixing point or buckle 38. Further, engagement of the child restraint shown in Gray requires the same level of manual dexterity as engagement of a conventional stairlift chair seat belt and it is thus submitted that a skilled person seeking to address the issue of stairlift seatbelt use by persons of limited manual dexterity, and using Tremblay as the starting point, would not look to Gray for assistance since Gray displays the very shortcomings which the invention addresses.

The Examiner has also Nelson as a secondary reference, stating that Nelson teaches a removable seat belt device with a reel. The combination of Tremblay and Nelson does not arrive at the claimed invention. Nelson discloses a device used for shortening a belt but there is no disclosure or suggestion that this shortening device could comprise part of the fixing or buckle of the belt. The present invention is not concerned per se with adjusting belt length but is directed to an arrangement which can be easily used by persons having limited manual dexterity. Since the use of the device shown in Nelson requires the application of considerable manual dexterity, it is submitted that a skilled person seeking to address the issue of stairlift seatbelt use by persons of limited manual dexterity, and using Tremblay as the starting point, would not look to Nelson for assistance; and even if Nelson was consulted, it would not, by any rational route, lead to the present invention.

Accordingly, Applicants submit that this application is now in form for allowance. Favorable reconsideration and allowance of all claims are respectfully urged.

Respectfully submitted,



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